



GEORGIA M. PESTANA  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007

August 17, 2021

**By ECF**

Honorable Colleen McMahon  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMORANDUM ENDORSEMENT**

Re: *In re: New York City Policing During Summer 2020 Demonstrations,*  
No. 20 Civ. 8924, *This Filing Relates to All Cases*

Your Honor:

We are Senior Counsels in the Office of Georgia M. Pestana, Corporation Counsel of the City of New York, and the attorneys assigned the defense in the above-referenced matters. We write to request clarification of Your Honor's June 25, 2021 Endorsement of Plaintiffs' request for an extension of time to designate expert witnesses (Dkt 175).

Plaintiffs requested, and Your Honor granted, an extension from July 1, 2021 to September 1, 2021 to designate expert witnesses. Neither this endorsed extension request, nor the original scheduling order, specifies a date by which the defendants must designate their rebuttal experts, if any. As the Court is surely aware, the defendants in an action such as this often cannot be sure of the number or specialties of experts they will retain to rebut the expert opinions the plaintiffs put forth until they know exactly the type of experts the plaintiffs are proffering.

As such, defendants respectfully request clarification on what date, after plaintiffs have designated their expert witnesses, they must designate their rebuttal experts.

Thank you for your consideration herein.

Respectfully submitted,

*Dara L. Weiss s/*

Dara Weiss

Elissa Jacobs

Senior Counsels

Special Federal Litigation Division

**The parties should discuss this matter and make a joint proposal (or separate proposals if agreement cannot be reached) to the undersigned by letter filed on ECF.**

**SO ORDERED.**

  
GABRIEL W. KORENSTEIN

United States Magistrate Judge

08/19/2021